

**To:** Twitter, Inc. ([trademarks@fenwick.com](mailto:trademarks@fenwick.com))  
**Subject:** U.S. TRADEMARK APPLICATION NO. 86316533 - DRONIE - 25980-70007  
**Sent:** 8/18/2016 5:17:45 PM  
**Sent As:** ECOM106@USPTO.GOV  
**Attachments:**

**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)  
OFFICE ACTION (OFFICIAL LETTER) ABOUT APPLICANT'S TRADEMARK APPLICATION**

**U.S. APPLICATION SERIAL NO.** 86316533

**MARK:** DRONIE

**\*86316533\***

**CORRESPONDENT ADDRESS:**

KAREN A. WEBB  
FENWICK & WEST LLP  
801 CALIFORNIA ST  
MOUNTAIN VIEW, CA 94041-1990

**CLICK HERE TO RESPOND TO THIS LETTER:**  
[http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp)

[VIEW YOUR APPLICATION FILE](#)

**APPLICANT:** Twitter, Inc.

**CORRESPONDENT'S REFERENCE/DOCKET NO :**  
25980-70007

**CORRESPONDENT E-MAIL ADDRESS:**  
[trademarks@fenwick.com](mailto:trademarks@fenwick.com)

**FINAL REFUSAL CONTINUED – 30 DAYS TO RESPOND**

**STRICT DEADLINE TO RESPOND TO THIS LETTER**

**ISSUE/MAILING DATE: 8/18/2016**

**STRICT DEADLINE TO RESPOND TO THIS LETTER:** To avoid abandonment of applicant's trademark application, the USPTO must receive a properly signed response *within thirty (30) days of the date of issuance of this letter*.

**\*\*\* FINAL REFUSAL AND REQUIREMENTS CONTINUED:**

PLEASE NOTE that the Trademark Act Section 2(e)(1) refusal and requirement for an acceptable identification and classification of goods and services are MAINTAINED and CONTINUED.

**(1) Power Of Attorney:**

A **power of attorney** was filed on March 10, 2016; however, it was not properly signed by applicant or someone with legal authority to bind applicant, and it will not be processed. *See* 37 C.F.R. §§2.17(c)(2), 2.193(e)(3); TMEP §§605.01, 611.03(c).

For the USPTO to accept a power of attorney, it must be signed by the individual applicant, all joint applicants, or someone with legal authority to bind a juristic applicant (e.g., a corporate officer or general partner). *See* 37 C.F.R. §§2.17(c)(2), 2.193(e)(3); TMEP §§605.01, 611.03(c).

In the present case, the party who signed the document, Stephen Coates, with a title of "associate director," does not have legal authority to bind applicant because he does not appear to be an officer of the applicant corporation.

**(2) Request For Reconsideration:**

In addition, because it was not properly signed, the **request for reconsideration** filed on March 10, 2016, cannot be entered.

**The problem with applicant's response:** Applicant also filed a response on March 10, 2016, that was signed by a different attorney from a different firm than the attorney(s) properly of record in this application. *See* 37 C.F.R. §2.18(a)(7). If applicant has retained a new attorney, the new attorney may not sign responses until applicant files a new, properly signed, power and/or revocation of attorney. *See* 37 C.F.R. §2.18(a)(7); TMEP §604.03. The USPTO cannot accept an improperly signed response; therefore, the contents will not be reviewed. *See* 37 C.F.R. §§2.62(b), 2.193(e)(2); TMEP §§712.03, 718.03.

**What applicant must do to fix the problem:** Applicant must satisfy one of the following:

- (1) Submit a response properly signed by applicant's current, properly appointed, attorney of record.
- (2) File a revocation of attorney properly signed by applicant and then resubmit a response properly signed by the new attorney.
- (3) File a power of attorney, properly signed by applicant and then resubmit a response properly signed by the new attorney.

See 37 C.F.R. §§2.17(b)(1)(i), (c), 2.19(a)(2), 2.62(b), 2.193(e)(2)(i).

The resubmitted response must explicitly address and respond to all the issues raised in the outstanding Office action dated September 10, 2015. See 37 C.F.R. §2.65(a); TMEP §718.03. The USPTO must receive a properly signed response per the above *within thirty (30) days of the date of issuance of this letter*. See 37 C.F.R. §§2.62(a), 2.65(a)(2); TMEP §§712.03, 718.03(b).

Applicant is encouraged to respond online via the Trademark Electronic Application System (TEAS) at <http://www.uspto.gov/trademarks/teas/index.jsp>. To respond via TEAS, applicant must complete the entire response form again, responding to all issues raised in the outstanding Office action. Revocations and powers of attorney forms can also be filed online at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

If the outstanding Office action was a final Office action, please note that the granting of additional time to perfect a response does not extend the time for filing an appeal to the Trademark Trial and Appeal Board under 37 C.F.R. §§2.141, 2.142 or a petition to the Director under 37 C.F.R. §2.146. 37 C.F.R. §2.63(b)(3); TMEP §718.03(b). An applicant must file a notice of appeal or petition within six months of the issuance date of a final action. 37 C.F.R. §§2.142(a), 2.146(d); see 15 U.S.C. §1062(b); 37 C.F.R. §2.63(b)(2)(ii)-(iii).

**What happens if the USPTO does not receive a properly signed response within the specified time period:** If applicant does not properly respond within the specified time period, this application will be abandoned because applicant filed an incomplete response. 37 C.F.R. §2.65(a); TMEP §§715.03(a)(ii)(E), 718.03. In such case, applicant may file a petition to the Director to request a reversal of the decision to abandon the application. TMEP §§718.03(b), 1713.01-.02; see 37 C.F.R. §2.146(a)(3). The petition must be filed within two months of the date of issuance of the notice of abandonment and may be filed online at [http://www.uspto.gov/trademarks/teas/petition\\_forms.jsp](http://www.uspto.gov/trademarks/teas/petition_forms.jsp). See 37 C.F.R. §§2.66(a)(1), 2.146(d); TMEP §§1705.04, 1714.01(a), (d). A \$100 fee for such a petition is required. See 37 C.F.R. §2.6(a)(15).

#### GUIDELINES FOR SIGNING RESPONSES

Where an applicant is represented by an attorney who may practice before the USPTO, the attorney must sign the response. 37 C.F.R. §2.193(e)(2)(i); TMEP §§611.03(b), 712.01. However, if applicant is initially represented by an attorney, and then later retains a different attorney from a different firm, the newly retained attorney may not sign responses until applicant files a new power and/or revocation of attorney. See 37 C.F.R. §2.18(a)(7); TMEP §604.03.

In addition, the proper signatory must personally sign or personally enter his or her electronic signature. See 37 C.F.R. §2.193(a), (e)(2); TMEP §§611.01(b), 611.02. The name of the signatory must also be printed or typed immediately below or adjacent to the signature, or identified elsewhere in the filing. 37 C.F.R. §2.193(d); TMEP §611.01(b).

/Martha L. Fromm/  
Trademark Examining Attorney  
U.S. Patent and Trademark Office  
Law Office 106  
(571) 272-9320  
Martha.Fromm@USPTO.gov

**TO RESPOND TO THIS LETTER:** Go to [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp). Please wait 48-72 hours from the issue/mailling date before using the Trademark Electronic Application System (TEAS), to allow for necessary system updates of the application. For *technical* assistance with online forms, e-mail [TEAS@uspto.gov](mailto:TEAS@uspto.gov). For questions about the Office action itself, please contact the assigned trademark examining attorney. **E-mail communications will not be accepted as responses to Office actions; therefore, do not respond to this Office action by e-mail.**

**All informal e-mail communications relevant to this application will be placed in the official application record.**

**WHO MUST SIGN THE RESPONSE:** It must be personally signed by an individual applicant or someone with legal authority to bind an applicant (i.e., a corporate officer, a general partner, all joint applicants). If an applicant is represented by an attorney, the attorney must sign the response.

**PERIODICALLY CHECK THE STATUS OF THE APPLICATION:** To ensure that applicant does not miss crucial deadlines or official notices, check the status of the application every three to four months using the Trademark Status and Document Retrieval (TSDR) system at <http://tsdr.uspto.gov/>. Please keep a copy of the TSDR status screen. If the status shows no change for more than six months, contact the Trademark Assistance Center by e-mail at [TrademarkAssistanceCenter@uspto.gov](mailto:TrademarkAssistanceCenter@uspto.gov) or call 1-800-786-9199. For more information on checking

status, see <http://www.uspto.gov/trademarks/process/status/>.

**TO UPDATE CORRESPONDENCE/E-MAIL ADDRESS:** Use the TEAS form at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.

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**UNITED STATES PATENT AND TRADEMARK OFFICE (USPTO)**

**IMPORTANT NOTICE REGARDING YOUR  
U.S. TRADEMARK APPLICATION**

USPTO OFFICE ACTION (OFFICIAL LETTER) HAS ISSUED  
ON **8/18/2016** FOR U.S. APPLICATION SERIAL NO. 86316533

Please follow the instructions below:

**(1) TO READ THE LETTER:** Click on this [link](#) or go to <http://tsdr.uspto.gov>, enter the U.S. application serial number, and click on "Documents."

The Office action may not be immediately viewable, to allow for necessary system updates of the application, but will be available within 24 hours of this e-mail notification.

**(2) TIMELY RESPONSE IS REQUIRED:** Please carefully review the Office action to determine (1) how to respond, and (2) the applicable response time period. Your response deadline will be calculated from **8/18/2016** (*or sooner if specified in the Office action*). For information regarding response time periods, see <http://www.uspto.gov/trademarks/process/status/responsetime.jsp>.

**Do NOT hit "Reply" to this e-mail notification, or otherwise e-mail your response** because the USPTO does NOT accept e-mails as responses to Office actions. Instead, the USPTO recommends that you respond online using the Trademark Electronic Application System (TEAS) response form located at [http://www.uspto.gov/trademarks/teas/response\\_forms.jsp](http://www.uspto.gov/trademarks/teas/response_forms.jsp).

**(3) QUESTIONS:** For questions about the contents of the Office action itself, please contact the assigned trademark examining attorney. For *technical* assistance in accessing or viewing the Office action in the Trademark Status and Document Retrieval (TSDR) system, please e-mail [TSDR@uspto.gov](mailto:TSDR@uspto.gov).

**WARNING**

**Failure to file the required response by the applicable response deadline will result in the ABANDONMENT of your application.** For more information regarding abandonment, see <http://www.uspto.gov/trademarks/basics/abandon.jsp>.

**PRIVATE COMPANY SOLICITATIONS REGARDING YOUR APPLICATION:** Private companies **not** associated with the USPTO are using information provided in trademark applications to mail or e-mail trademark-related solicitations. These companies often use names that closely resemble the USPTO and their solicitations may look like an official government document. Many solicitations require that you pay "fees."

Please carefully review all correspondence you receive regarding this application to make sure that you are responding to an official document from the USPTO rather than a private company solicitation. All official USPTO correspondence will be mailed only from the "United States Patent and Trademark Office" in Alexandria, VA; or sent by e-mail from the domain "@uspto.gov." For more information on how to handle private company solicitations, see [http://www.uspto.gov/trademarks/solicitation\\_warnings.jsp](http://www.uspto.gov/trademarks/solicitation_warnings.jsp).